

No. 24-2355

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

PAYSERVICES BANK,

Plaintiff-Appellant,

v.

FEDERAL RESERVE BANK OF SAN FRANCISCO,

Defendant-Appellee.

On Appeal from the United States District Court
for the District of Idaho
No. 1:23-cv-00305-REP
Hon. Raymond E. Patricco, Jr.

JOINT STATUS REPORT

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INTRODUCTION

In the Court's Order entered on January 24, 2025 (Docket Entry No. 52.1), the Court directed the parties to "file a status report as to the status of the appeal by February 27, 2025 and every 30 days thereafter until the resolution of the administrative appeal." In compliance with this directive, the parties state the following:

1. Appellee Federal Reserve Bank of San Francisco ("FRBSF") does not have access to the Administrative Law Judge ("ALJ")'s September 8, 2025 Orders or PayServices' September 30, 2025 Motion for Clarification briefing with the ALJ and the Idaho Office of Administrative Hearings referenced below and has no updates or information regarding the status of PayServices' administrative appeal. FRBSF is only aware of the below events through PayServices' updates herein.

2. On September 8, 2025, the ALJ issued an Order granting PayServices' Motion for Reconsideration and denying without prejudice the Idaho Department of Finance's (the "Department") Motion for Reconsideration. The ALJ remanded the matter to the Department to allow for the parties to further develop the record. Counsel for the Department sent a communication regarding remand to PayServices on September 16, 2025. After some written communications, it became clear to PayServices that PayServices and the Department had reached an impasse regarding

the legal and practical implications of the ALJ's Order granting PayServices' Motion for Reconsideration.

3. On September 30, 2025, PayServices filed a Motion for Clarification with the ALJ and the Idaho Office of Administrative Hearings. PayServices is awaiting a response to the Motion for Clarification from the Department and additional direction from the ALJ. The Idaho Department of Finance has still not issued a final order or taken final agency action. Thus, the matter remains pending.

4. Any further updates in this matter will be provided via a status report which will be filed 30 days from today's date.

Date: October 1, 2025

Jade A. Craig, P.A.

Simpson Thacher & Bartlett LLP

s/ Jade A. Craig
Jade A. Craig

s/ Jonathan K. Youngwood
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CERTIFICATE OF FILING AND SERVICE

I hereby certify that on this 1st day of October, 2025, I electronically filed the foregoing with the Clerk of Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

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